

**Town of Clarence  
Planning and Zoning**

# Memo

**To:** Town Board Members

**From:** James Callahan, Director of Community Development

**cc:** Town Attorney, Town Clerk, Town Engineer, Senior Code Enforcement Officer, Planning Board Members, Chamber of Commerce

**Date:** March 5, 2015

**Re:** March 11, 2015 Town Board Meeting agenda

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Following is a review/analysis of the items listed on the March 11, 2015 Town Board Meeting Agenda:

**FORMAL AGENDA ITEMS:**

**1. SEVENTEEN HUNDRED PROPERTIES, 8353 MAIN STREET.**

**Location:** Southeast corner of Main Street and Susan Drive.

**Description/History:** Existing vacant land located in the Residential Single Family Zone. A use variance was granted in 2007 by the ZBA to allow for a commercial use as a nail salon. Conditions of the variance approval identified that any change in use would require approval by the Town Board.

**Proposal:** Applicant is proposing to develop a 1 story professional office building for a property management business.

**Master Plan:** Area identified in the Harris Hill Traditional Neighborhood District.

**Reason for Town Board Action:** Per the use variance granted to allow for a commercial use, the Town Board has final approval authority for any change in use.

**Issues:** The Planning Board has forwarded a recommendation to issue a Negative Declaration under SEQRA and to approve the change in use as designed, with conditions.

**2. KEN SCHULTZ/NIAGARA TRUCK EQUIPMENT, 8033 TRANSIT ROAD.**

**Location:** East side of Transit Road, north of Wolcott Road.

**Description/History:** Existing commercial structure, former Gateway Equipment Building, located in the Restricted Business Zone.

**Proposal:** Applicant is seeking approval to occupy the structure and operate Niagara Truck Equipment, an existing business in Niagara County, and would like to display trailers and plows for sale and temporarily store deliveries in the rear.

**Master Plan:** Area identified in a restricted business classification.

**Reason for Town Board Action:** The structure and use thereof is identified as a pre-existing use in the Restricted Business Zone. The outdoor storage of equipment for sale/storage must be approved by the town board via a Temporary Conditional Permit.

**Issues:** The applicant has provided a description of the intended display and an associated site plan. A public hearing will be required to consider the storage use.

**3. TEMPORARY CONDITIONAL PERMIT RENEWALS FOR 2015.**

**A list of potential TCP renewal applicants is presented in the attached spreadsheet.**

**WORK SESSION ITEMS:**

**1. ELIOT LASKY/ROXBERRY SUBDIVISION PHASE 2—GENTWOOD EXTENSION.**

**Location:** North of Main Street and proposed as an extension of Gentwood Drive.

**Description/History:** Previously conceptually approved subdivision that would extend Gentwood Drive to the west and create 19 +/- new residential building lots.

**Proposal:** In advance of final Development Plan Approval, the applicant is applying for a Clearing, Filling and Grading Permit that would allow him to cut trees down. The reason for the separate permit application is to avoid a condition of a separate Army Corps of Engineers (ACOE) Permit that would limit construction activities after March 31. The ACOE permit for wetland disturbance adds a condition to protect the Northern Long Eared Bat habitat by limiting impact to potential habitat between April 1 and October 30.

**Master Plan:** Area identified in a residential classification.

**Reason for Town Board Action:** A Clearing, Filling and Grading permit will require review and approval of the Town Board.

**Issues:** Development Plan approval is pending and the applicant wishes to construct in 2015. The ACOE permit will restrict activities after April 1.

**2. HERITAGE MINISTRIES/VINECROFT SENIOR HOUSING, 5945 VINECROFT DRIVE.**

**Location:** East side of Newhouse Road south of Clarence Center Road.

**Description/History:** Existing senior housing complex consisting of a congregate home and 9 duplex units.

**Proposal:** Applicant is requesting approval to construct two additional duplexes or four units on the existing campus.

**Master Plan:** Area identified in a Planned Unit Residential Development (PURD) identifying a maximum density of 3 units per acre.

**Reason for Town Board Action:** The PURD Zoning is approved based upon a site plan. Any amendment to the overall site plan/PURD requires approval of the Town Board.

**Issues:** The density of 3 units per acre must be maintained. The applicant has identified that the amendment will meet the density requirement. Referral to the Planning Board may be in order to verify that the proposal meets all requirement of the PURD.